IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO. 694 OF 2004
IN
WRIT PETITION (LODG.) NO.2323 OF 2004

Shri Haren Jayantilal Mehta & ors... Appellants

v/s.

Dalpat Tabhajibhai Anjaria & ors. .. Respondents

Mr.Tushar Bhavsar i/by Mr.Manoj Bhatt for appellants.

Mr.Shailesh Shah i/by M/s.Nitya Sunil Associates for respondents.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 1st November, 2004

P.C.

Heard Mr.Tushar Bhavsar, the learned counsel for the appellants.

2. The appeal is directed against the interim order dated 14th October, 2000 passed in the writ petition. The writ petition is yet to be admitted. The learned Judge was constrained to pass the impugned order because he felt that on account of failure of either formation of society or transferring the ownership to the society by the builder, the occupants have suffered. It was not in dispute before the learned single Judge that the occupants-petitioners had lawfully purchased the premises on payment of the amounts due and payable.

3. In the backdrop of these facts, the interim order passed by the learned single Judge does not call for any interference.

4. Appeal is dismissed in limine.

5. Liberty to the appellants (original respondent Nos.4 to 7 and 18) to apply to the learned single Judge for extension of time for compliance of the impugned order.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)